



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/604,550

07/30/2003

Darren L. Anand

BUR920030018US1

1549

29154

7590

06/06/2006

FREDERICK W. GIBB, III
GIBB INTELLECTUAL PROPERTY LAW FIRM, LLC
2568-A RIVA ROAD
SUITE 304
ANNAPOLIS, MD 21401

EXAMINER

LAM, TUAN THIEU

ART UNIT

PAPER NUMBER

2816

DATE MAILED: 06/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/604,550

Applicant(s)

ANAND ET AL.

Examiner

Tuan T. Lam

Art Unit

2816

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2,5,10,13,19 and 26 is/are allowed.
- 6) ☒ Claim(s) 1,3,4,6-9,11,12,14-18,20-25 and 27-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 9/27/2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This is a response to the amendment filed 4/21/2006. Claims 1-33 are under examination.

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 28-33 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 28 and 32 recite program of instructions to perform steps of data arrangement. Such non-functional descriptive material is not statutory regardless of whether it is embodied on a computer readable medium. See MPEP chapter 2106.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3-4, 6-9, 11-12, 14-18, 20-25, 27-31 and 33 are rejected under 35 U.S.C. 102(b) as being anticipated by Greene (USP 3,921,003).

Figure 3 of Greene shows a circuit for observing (monitoring) register output without altering logical value of the register output, said circuit comprising a wiring loop (wire connecting input and output of the register 364 or 365 via a switch 371 or 372) connecting the input of said shift register with the output of said shift register, and a control device (sampler 362, 370, 367, 368, 380-388, 391-393, 402, 404, 406, 408, 396) connected to said wiring loop,

Art Unit: 2816

wherein said control device is adapted to use said wiring loop to cause said data to be continually transferred from said output of said shift register to said input of said shift register and through said shift register in a circular manner, wherein said control device includes an input/output port (output of solenoid 396 directed coins to a container. Column 6, lines 57-60) accessible from outside circuit, and wherein said control device outputs, through said input/output port data appearing on said wiring loop as said data is circulated through said shift register to permit said data of said shift register to be observed outside said circuit (the coins are observed an outside container) without altering logical values of said data of said shift register as called for in claims 1, 7, 9, 15-16, 18, 21, 22-23 and 28-29.

Regarding claims 3, 17, 24 and 30, figure 3 shows the storage device (391, 392 and 393) to record said data as data appears on said wiring loop.

Regarding claims 4, 12, figure 3 shows the control device having a write device (362) to change one or more bits of data of said shift register.

Regarding claims 6, 11 and 14, figure 3 shows the observing wires as the wires connected to the output of the shift register.

Regarding claim 8, the shift register selector is seen sampler 362, 363.

Regarding claims 20, 27 and 33, figure 3 directing said data to a location external to said shift register (logic gates 380, 385) to allow said shift register to be examined by an external device (386-388).

Regarding claims 25 and 31, altering data occurs from the output of the sensors 350 and 355.

Response to Arguments

3. Applicant's arguments filed 4/21/2006 have been fully considered but they are not persuasive.

Regarding the rejection of claims 1, 3-4, 6-9, 11-12, 14-18, 20-25, 27-31 and 33 are rejected under 35 U.S.C. 102(b) as being anticipated by Greene (USP 3,921,003), applicant argues that Greene does not teach a control device that includes an input/output port through which the data of the shift register can be observed is not persuasive. The control device includes an input/output port (output of solenoid 396 directed coins to a container. Column 6, lines 57-60) accessible from outside circuit, and wherein said control device outputs, through said input/output port data appearing on said wiring loop as said data is circulated through said shift register to permit said data of said shift register to be observed outside said circuit (the coins are observed an outside container) without altering logical values of said data of said shift register. Therefore, the limitations of claims 1, 3-4, 6-9, 11-12, 14-18, 20-25, 27-31 and 33 are fully met.

Allowable Subject Matter

4. Claims 2, 5, 10, 13, 19 and 26 are presently allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan T. Lam whose telephone number is 571-272-1744. The examiner can normally be reached on Monday to Friday (7:30 am to 6:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TIMOTHY P. CALLAHAN can be reached on 571-272-1740. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2816

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Tuan T Lam
Primary Examiner
Art Unit 2816

5/31/2006